

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:09-CT-3116-D

AMADO SOSA-DOMINGUEZ,)
)
Plaintiff,)
)
v.)
)
THE GEO GROUP, et al.,)
)
Defendants.)

ORDER

On July 1, 2009, Amado Sosa-Dominguez (“Sosa-Dominguez” or “plaintiff”) filed this action against The Geo Group, Warden G. Snyder, Associate Warden D. Farmer, Counselor B. Moore, and Chaplain D. Blevins [D.E. 1]. On April 5, 2010, upon a motion by defendants, the court directed Sosa-Dominguez to show cause why the action should not be dismissed for failure to prosecute [D.E. 25]. On April 26, 2010, Sosa-Dominguez responded to the show cause order [D.E. 29], and on February 7, 2011, the court denied defendants’ motion to dismiss for failure to prosecute [D.E. 34].

It appears that Sosa-Dominguez has once again moved without informing the court of his change of address as required by Local Civil Rule 83.3, EDNC, as the court received returned as undeliverable the copy of its February 7, 2011 order [D.E. 35]. On March 1, 2011, defendants renewed their motion to dismiss for failure to prosecute [D.E. 36]. On March 2, 2011, the court notified Sosa-Dominguez about the motion, the consequences of failing to respond, and the response deadline [D.E. 38]. See Roseboro v. Garrison, 528 F.2d 309, 310 (4th Cir. 1975) (per curiam). On March 10, 2011, the court received returned as undeliverable the copy of its Roseboro notice [D.E. 39]. Sosa-Dominguez did not file any response to the motion, and the time within which to do so has expired.

In light of Sosa-Dominguez's failure to respond, the court GRANTS defendants' motion to dismiss [D.E. 36] and DISMISSES the action without prejudice. The Clerk of Court is directed to close this case.

SO ORDERED. This 16 day of September 2011.


JAMES C. DEVER III
United States District Judge